


December 9, 2021

FOR YOUR INFORMATION

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager 

Copies: Eliot Isaac, Chief, Police Department

Subject: **Adoption of University of Cincinnati Police Department - Cincinnati Police Department Mutual Aid Agreement**

This memorandum is to advise you of the terms of a Mutual Aid Agreement with the University of Cincinnati Police Department (UCPD) as Council previously authorized in Resolution 63-2016.

Following the tragic killing of Sam DuBose on July 19, 2015 by former UCPD officer Ray Tensing, UCPD ceased all off-campus law enforcement until the City and University could evaluate the proper role of UCPD in providing police services in the City of Cincinnati. The prevalence of proactive stops for traffic offenses that led to Sam DuBose's death was of particular concern to the City and its stakeholders.

In August of 2015, UCPD proposed an interim patrol plan to Council. While continuing to prohibit UCPD from engaging in proactive traffic or pedestrian law enforcement, UCPD would be authorized to conduct visibility patrols, respond to calls for service, respond to crimes in progress, and provide back up to CPD, upon request. Council authorized the City Manager to take all necessary action to authorize the plan and limit traffic enforcement. *See Ord. 264-2015.*

Over the next several years, UC engaged in a voluntary monitorship by an external group to review every facet of UCPD. To provide for transparency and accountability, a Citizen Compliance Council (CCC), chaired by retired Judge John A. West was formed comprising a diverse group of UC students, faculty, staff and alumni; neighborhood community groups; and civic, faith and business leaders. The CCC oversaw the implementation of 265 specific individual recommendations, addressing a range of critical issues, including adopting a community problem-oriented policing model, increasing the diversity of its force, and changing the culture of its organization. Following the end of the external monitorship, the CCC remained in place but transitioned to providing UCPD with guidance, oversight and ensuring ongoing compliance.

In 2016, UCPD requested that the City revisit the existing parameters. Council passed a resolution authorizing the City to enter into a new memorandum of understanding with the University of Cincinnati regarding mutual aid between police agencies off campus. *See* Res. 63-2016.

Following Council's resolution, UCPD launched into a process to ensure that its proposed plan was consistent with all its reform efforts. National best practices were researched and incorporated. Input was sought and obtained from the CCC. UCPD also presented to the Law and Public Safety Committee. The results of those efforts is the mutual aid agreement, which is attached.

The new mutual aid agreement restricts UCPD's off-campus law enforcement duties to circumstances which focus on the immediate preservation of peace and safety - core duties of any police agency. It does not permit UCPD officers to conduct traffic stops such as the stop that resulted in the killing of Sam Dubose. In particular, UCPD may engage in off-campus enforcement in only the following circumstances:

- (1) UCPD officer observes a felony criminal offense in progress or about to occur;
- (2) UCPD officer observes a non-traffic misdemeanor criminal offense of violence or theft in progress or about to occur; or
- (3) UCPD officer observes a traffic offense with an immediate risk of serious harm to the public in progress.

UCPD may not engage in law enforcement activities off campus unless the action fits under one of these conditions or under the general mutual aid agreement that exists among law enforcement agencies in Hamilton County. No proactive stops are permitted by the agreement.

The agreement recognizes UCPD's progress in implementing organizational reform and provides additional police resources when needed for large scale events or to respond to a crime in progress. Fundamentally, the Administration seeks to enhance the safety and quality of life of the residents in CUF, Clifton, and Corryville. The Administration will work to provide additional information on the terms of the mutual aid agreement to the MAG, as well as the incoming Mayor and Council to ensure that the larger Cincinnati community understands and supports the ongoing efforts.

Attachment